

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37064 of 2021

Arising Out of PS. Case No.-40 Year-2021 Thana- BARUN District- Aurangabad

ROHIT CHAUHAN Son of Late Madho Chauhan @ Late Madho Nonia
Resident of Village - Jani Bigha, P.s.- Nabinagar, Dist.- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramendra Kumar Singh, Advocate

For the Opposite Party/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 14-12-2021 Heard the learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks regular bail in connection with
G.R. No. 241 of 2021 arising out of Barun P.S. Case No. 40 of
2021 for the offence registered under Section 30(a) of the Bihar
Prohibition and Excise (Amendment) Act, 2018

The allegation is regarding recovery of 870 litres of
illicit liquor from a Tata Sumo vehicle and the petitioner is
alleged to be travelling on a motorcycle and is further alleged to
be safeguarding the said vehicle from which the illicit liquor
was seized.

The learned counsel for the petitioner has submitted
that the petitioner is innocent, has been falsely implicated in the
present case, is having a clean antecedent and he is languishing
in custody since 24.02.2021. The learned counsel for the



petitioner has further submitted that neither any illicit liquor has been recovered from the conscious possession of the petitioner nor from his motorcycle and he has been falsely implicated in the present case.

Per contra, the learned counsel for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials available on record as also considering the period of incarceration of the petitioner herein, I deem it fit and proper to direct for release of the petitioner herein on regular bail.

Accordingly, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II-cum-Special Judge (Excise), Aurangabad in connection with Barun P.S. Case No. 40 of 2021.

(Mohit Kumar Shah, J)

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